

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
TACOMA DIVISION

HANNAH KRUEGER,

Civil No. 3:21-CV-05477-TLF

Plaintiff,

vs.

ORDER

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Based on the stipulation of the parties, it is ORDERED that the Commissioner's decision in regard to Plaintiff's application for benefits under Title II and Title XVI of the Social Security Act be REVERSED and REMANDED to the Commissioner of Social Security for further administrative proceedings. Upon remand, the Appeals Council will instruct the Administrative Law Judge to reevaluate the opinion evidence of record, considering its supportability and consistency with the evidence of record; reevaluate Plaintiff's maximum residual functional capacity; if warranted by the expanded record, obtain supplemental vocational expert evidence to clarify the effect of the assessed limitations on Plaintiff's ability to perform other work in the national economy; and offer Plaintiff the opportunity for a hearing, take any further action needed to complete the administrative record, and issue a new decision.

This Court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a remand of the case to the Commissioner for further administrative proceedings. *See Melkonyan v. Sullivan*, 501 U.S. 89 (1991). Plaintiff may be entitled to reasonable attorney fees and costs pursuant to 28 U.S.C. § 2412, upon proper request to this Court.

DATED this 2 day of February 2022.

Theresa L. Friske
UNITED STATES MAGISTRATE JUDGE